

Docket Number: 971

BEVERLY ENTERPRISES, INC., et al.,
LEADER NURSING CENTERS, INC., et al.

Joel M. Hamme, Esquire
Charles O. Barto, Jr., Esquire

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

Bruce G. Baron, Assistant Counsel

November 29, 1984

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$300.00+

December 3, 1984

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

January 3, 1985

Respondent's Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

CLOSED

January 18, 1985
Petitioner's Opposition to Respondent's Preliminary Objections and Proposed Order filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

March 12, 1985

Petitioners' Reply Brief in Opposition to Respondent's Brief in Support of Its Preliminary Objections filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

April 24, 1985

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 24th day of April, 1985, the Preliminary Objections as filed by the Defendant are **DENIED**. The Defendant is given thirty (30) days from the date of this Order in which to file a Responsive Pleading."

April 25, 1985

Copies of Opinion and Order dated April 24, 1985, forwarded to attorney for Plaintiffs and attorney for Defendant.

May 13, 1985

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant. Entry of Appearance filed by Bruce Baron as co-counsel.

June 3, 1985

Petitioners' Answer to Respondent's New Matter filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

June 25, 1985

Respondent's Request for Admissions, Answers to Interrogatories, and Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

July 24, 1985

Claimants' Answer to Respondent's Request for Admissions under Pa. R.C.P. No. 401 filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

July 30, 1985

Motion for Extension of Time for Claimants to Respond to Respondent's Interrogatories and Respondent's Request for Production of Documents filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

July 30, 1985

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 30th day of July, 1985, upon consideration of Claimants' Motion for Extension of Time to Answer Respondent's Interrogatories and Request for Production of Documents and in view of the matters set forth in the above Opinion, it is hereby **ORDERED** and **DECREED** that the time for responding to Respondent's Interrogatories and Request for Production of Documents be and hereby is **EXTENDED** to August 26, 1985." Copies forwarded to attorney for Plaintiffs and attorney for Defendant.

August 26, 1985

Claimants' Request to Respondent for Answers to Interrogatories and Claimants' First Request for Production of Documents, Claimants' Request for Admission of Fact and Second Request for Production of Documents and Claimants' Response to Respondent's Request for Answers to Interrogatories and Production of Documents filed by attorney for Plaintiffs. Copies forwarded to attorney for Defendant by attorney for Plaintiffs.

September 27, 1985

Extension of time to file Answers to Claimants' First Set of Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

October 1, 1985

Respondent's Answers to Claimants' Request for Admissions of Fact and Second Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

October 2, 1985

The Board rendered an Opinion and made the following Order: "AND NOW, this 2nd day of October, 1985, upon review of Respondent's Request for Extension of Time and in accordance with Fed. Rules of Civil Procedure §248, the Request is **GRANTED** and Respondent is **DIRECTED** to file its Answers to Claimants' Interrogatories on or before the 1st day of December, 1985. It is **ORDERED** Copies forwarded to attorney for Plaintiffs and attorney for Defendant.

August 8, 1986

Request for a Stay filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

September 24, 1986

The Board rendered an Opinion and made the following Order: "AND NOW, this 24th day of September, 1986, it is **ORDERED** and **DIRECTED** by the Board of Claims that a Stay is issued concerning all proceedings in these matters until October 31, 1986, that the parties furnish to the Board a status of the discussions currently underway between the parties and if a settlement is reached, within a reasonable period of time thereafter." Copies forwarded to attorney for Plaintiffs and attorney for Defendant.

September 29, 1986

Acceptance of Service of Opinion and Order dated September 24, 1986 received from Plaintiff (Hamme). Receipt of same acknowledged by Plaintiff (Hamme) September 26, 1986.

September 30, 1986

Acceptance of Service of Opinion and Order dated September 24, 1986 received from Defendant. Receipt of same acknowledged by Defendant September 25, 1986.

February 19, 1987

Application for Extension of Stay filed by attorney for Defendant.
Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

February 25, 1987

Praecipe for Discontinuance of Wilmac Corporation, One of Three Claimants filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

February 27, 1987

Opposition to Application for Extension of Stay filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

March 2, 1987

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 2nd day of March, 1987, upon consideration of the Praecipe for Discontinuance of Wilmac Corporation, One of Three named Claimants in the above two Claims, Docket No. 974 and Docket No. 725, it is **ORDERED** and **DECREED** that the Wilmac Corporation is permitted to withdraw, discontinue and end all of its claims with respect to these matters with prejudice." Copies forwarded to attorney for Plaintiffs and attorney for Defendant.

March 4, 1987

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of March, 1987, upon request of Bruce G. Baron, Esquire, Department of Public Welfare, relative to an Application for Extension of Stay, the Board hereby **GRANTS** a Stay of all proceedings in the matter through April 30, 1987 and seeks from counsel on or before May 15, 1987, a status report." Copies forwarded to attorneys for Plaintiffs and attorney for Defendant.

March 6, 1987

Acceptance of Service of Opinion and Order dated March 2, 1987, received from Defendant. Receipt of same acknowledged by Defendant March 3, 1987.

March 10, 1987

Acceptance of Service of Opinion and Order dated March 4, 1987 received from Defendant (Baron). Receipt of same acknowledged by Defendant (Baron) March 5, 1987.

March 20, 1987

Acceptance of Service of Opinion and Order dated March 4, 1987, received from Plaintiff (Hamme). Receipt of same acknowledged by Plaintiff (Hamme) March 6, 1987.

March 20, 1987

Acceptance of Service of Opinion and Order dated March 2, 1987, received from Plaintiff (Hamme). Receipt of same acknowledged by Plaintiff (Hamme) March 5, 1987.

March 20, 1987

Acceptance of Service of Opinion and Order dated March 4, 1987, received from Plaintiff (Barto). Receipt of same acknowledged by Plaintiff (Barto) March 17, 1987.

March 20, 1987

Acceptance of Service of Opinion and Order dated March 2, 1987, received from Plaintiff (Barto). Receipt of same acknowledged by Plaintiff (Barto) March 17, 1987.

July 23, 1987

Praecipe of Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 31, 1987

The Board made the following Order: "**AND NOW**, this 31st day of July, 1987, upon receipt of Praecipe of Discontinuance to mark the above-captioned matter "withdrawn, ended and discontinued with prejudice", executed by Charles O. Barto, Jr., Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of July 23, 1987, it is **ORDERED** and **DIRECTED** that said case be marked settled, discontinued and ended with prejudice."

August 3, 1987

Copies of Order dated July 31, 1987 forwarded to attorney for Plaintiff and attorney for Defendant.

August 7, 1987

Acceptance of Service of Order dated July 31, 1987 received from Defendant. Receipt of same acknowledged by Defendant August 4, 1987.

August 14, 1987

Proposed Order relative to Praeipce of Discontinuance filed by July 23, 1987. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 13, 1987

Motion for a Rule to Show Cause and Proposed Rule to Show Cause filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 9, 1988

Praeipce of Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 23, 1989

The Board made the following Order: "On this 23rd day of February, 1989, upon receipt of Praeipce of Discontinuance to mark the above-captioned matter 'withdrawn, ended and discontinued' with prejudice', executed by Charles O. Barto, Jr., Esquire, on behalf of Plaintiff, same of which is docketed with the Board under date of December 9, 1988, it is **ORDERED** and **DIRECTED** that said case be marked withdrawn, discontinued and ended with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

March 1, 1989

Acceptance of Service of Order dated February 23, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 27, 1989.

March 2, 1989

Acceptance of Service of Order dated February 23, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 24, 1989.
